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HUMAN NATURE AND THE STATE.

HAROLD CHAPMAN BROWN.

SINCE the oldest of our philosophic traditions, the form of the state has always been understood as a consequence of human nature. Whether we look at Plato harmonizing its elements to exhibit that large-scale justice which is to furnish a mirror to the soul of man, at Aristotle adapting the different forms of polity to the needs of race or environment, at the Roman founding the *jus naturale*, or at Hobbes guarding against the innate depravity of man that the church had discovered, it is everywhere human nature and its needs that is in question. But human nature has not always been understood in the same fashion, and of late years we have been under the domination of an idealism, not without suggestiveness, perhaps, which has read nature after the analogy of man and substituted for a naturalistic history, a teleology, astounding in its blind optimism and manifesting an ever-increasing sterility when mated with the practical problems of social life. But while human nature has been thus extended to cosmic process and become something less than human, by tortuous ways of scientific progress verifiable knowledge has been accumulating and we are now in a position, as never before, to see through the glass, although still darkly, and in the light that penetrates to us to revise once more our conception of the nature and function of the state.

The need of such revision is everywhere apparent. Read, for example, Mr. Graham Wallas' "Human Nature and Politics," or Mr. Wells' "Social Forces in England and America," and see the complex factors in modern life that confront a state, to control or to respect, and that extend its necessary jurisdiction far beyond the limits of detail that any social contract theory or metaphysical

conception of man ever dreamed. And even the problems of tradition, when they have survived, have not escaped transformation. We can no longer represent man by egoistic instincts, as seeking his own gain at the least expenditure of effort, as seeking pleasure and avoiding pain, or even as a rational animal, for he is each of these things and their opposites and more than these things. Precisely what, we must turn to the psychologists to find out.

The acts that can be ascribed to the original nature of man are curiously simple compared with the complex lines of conduct that are built up from them but it will be not without profit to note briefly these simple acts, before we turn to the more complex behavior that is the chief material for our conclusions. Professor Thorndike writes: "Any man possesses at the very start of his life—that is, at the moment when the ovum and spermatozoon which are to produce him have united—numerous well-defined tendencies to future behavior. Between the situations which he will meet and the responses which he will make to them, preformed bonds exist. It is already determined by the constitution of these two germs, that under certain circumstances he will see and hear and feel and act in certain ways. His intellect and morals, as well as his bodily organs and movements, are in part the consequence of the nature of the embryo in the first moment of its life. What a man is and does throughout life is a result of whatever constitution he has at the start and of all the forces that act upon it before and after birth. . . . The behavior of man in the family, in business, in the state, in religion and in every affair of life is rooted in his unlearned, original equipment of instincts and capacities. All schemes of improving human life must take account of man's original nature, most of all when their aim is to reverse or counteract it" (*Educational Psychology*, Vol. I, pp. 1-4).

When this original nature, however, first falls under our observation it is already somewhat modified by the

results with which its first responses have been met and by the fact that these tendencies are usually led to cooperate in multitudinous combinations. Nor are they to be covered by the stock phrase "adaptation to environment," for in them, as well as in the forms which they take through chance education, nature is neither always right nor always wrong. Through them adaptation must come and although the statistical totality must be favorable—to quote Thorndike again—"It will be a great advantage if thought about the life of man can be advanced to a level of description which will exclude teleological lists having as their themes such mythical potencies as the 'instinct of self-preservation,' which makes you stay alive—the 'social instinct,' which makes you construct a society,—the 'parental instinct,' which makes you treat your flesh and blood so as to favor them in all ways,—the 'religious instinct,' which makes you believe in a world of spirits,—'constructiveness,' which makes you build up all sorts of edifices,—'destructiveness,' which makes you tear all sorts of edifices down,—or 'fear,' which makes you avoid danger" (*loc. cit.*, p. 15). Rather there are certain concrete situations to which individuals are sensitive and to which some form of response is made but the character of the response may well vary, even to closely similar situations, with different conditions of the responding organism.

If one were to follow the precedent set by social philosophers and write a fictitious history of political origins, he must remember that men did not first live in solitude and then come together through some impulse toward gregariousness, for all characteristics of original nature have presumably been present to a degree in him and operative through the geological epochs needed for the evolution of the man we know. Also genuinely primitive association must have been blind, without forethought of advantage to those participating. Its modes of life were crystallized into habits, transmitted by informal education and tradition from one generation to the next,

and stamped with the effect of environmental stimulus on individual aptitudes. Gradually, however, individuals must have felt a dawning consciousness of advantages accruing to them from association especially when their native endowment and external conditions had thrust them into privileged positions, and the effort to increase those advantages that had been discovered was the first self-conscious political activity of man. Indeed all political history might be written as the effort of an ever-increasing number of individuals, who begin to see advantages to themselves in organization, to modify the social structure so that these advantages may be increased, thus tending to transform the state from an organization for the benefit of a ruler or of privileged class, to an organization for the service of all of those participating.

With such an origin the first aspect discerned in the dawning idea of a state is the idea of power, power to enforce the rulings of dominant individuals and power to protect its people from other peoples. One has only to read the advice of Frederick the Great to his nephew or the utterances of the present Kaiser to recognize how fully this idea of power is still established as the dominant character in certain modern states.

Frederick the Great writes: "My kingdom, by its nature, is military, and, shortly speaking, it is only by its assistance that you can hope to sustain and aggrandize yourself. It is necessary, therefore, that your attention should be fixed on this" (Confessions). In his "First Proclamation to the Army on the Day of His Accession," the present Kaiser said: "I would direct your gaze to my grandfather, who stands before the eyes of all of you, the glorious war lord, worthy of all honor—a spectacle more beautiful than any other. . . . So we are bound together—I and the army—so we are born for one another, and so shall we hold together indissolubly, whether, as God will, we are to have peace or storm." Or again from Frederick's Confessions: " . . . never be ashamed of making alliances, and of being yourself the only party that draws

advantage from them. Do not commit that stupid fault of not abandoning them whenever it is to your interests so to do; and especially maintain vigorously this maxim, that stripping your neighbors is only to take away from them the means of doing you a mischief. . . . These politics may be reduced to three heads, or principles. The first, self preservation and aggrandizement, according to circumstances. Second, alliances never to be made but for one's own advantage. And the third, to make one's self respected and feared in the most difficult times. . . . When Prussia, dear nephew, shall have made her fortune, it will be time enough for her to give herself an air of fidelity to engagements and of constancy. . . . I have already told you, dear nephew, that politics and villainy are almost synonomous terms and I told you the truth. Should it be necessary to make a treaty with other powers, if we remember that we are Christians, we are undone."

This philosophy is more fully articulated than it would be in the mind of a primitive chief but it is not essentially different in form. In last analysis, the function of such a state is positive for the ruler alone. It works for his personal welfare but is negative for the populace to whom it is merely a means of warding off evils either from without or from their fellows. However, the very organization necessary for these functions leads to a transcending of the whole conception. The ruler must return favor for favor to those whose strength approaches his own and a hierarchy is created about him to the members of which, according to their station, certain advantages accrue, whence is derived the fateful intuition that a social organization may be of positive advantage to others beside its head, an intuition presented and lost, reappearing with various degrees of clearness in different epochs of human history. We recall the supreme genius of Plato in recognizing that the stability of the state could only be assured by a controlled education of its citizens and that it might be necessary to invoke the "noble lie" where it seemed

conducive to the highest good. Fortunately for human progress, rulers, although they have rarely been afraid of lies, noble or otherwise, have not always shown the keen sense for the potency of educational control evinced by Plato.

If the state is not a premeditated affair but it has been the experience of all people to awaken gradually to the fact that they, with their fellows, have become members of some more or less organized aggregate of men, there must be much inertia of habit and custom to overcome before they can individually consider the desirability of this status or seek to modify it for the better. But no more effective stimulus could have been brought to bear upon men than the hierarchy of force with its appeal to envy, admiration, and the native hostile responses to the scorn of superiors. Add but to this the idea of the power of organization which must come, even if obscurely, from the efforts of a ruler to obtain efficient service and a social revolution is prepared. Then, once the idea that the state might be a form of organization beneficial to all is assimilated, the absolute centering of the power in the ruler, as maintained by Hobbes' hard contract theory, begins to totter. A principle like Locke's, that the will of the majority must be law, takes its place and the appeal of an oppressed people to heaven to enforce their will is sanctioned.

Comte's law of the three stages seems to find here a real exemplification. From the concept of the divine right of kings, we pass to that of a metaphysical universal will. To the German metaphysicians, perhaps to Hegel more than to any other, was it given to reinterpret political institutions as a realization of that ideal of freedom which seemed to men newly emancipated from tyrannous domination, the highest goal of life and the fullest embodiment of the moral ideal. But unfortunately the freedom was abstract and the human nature that was satisfied was not our human nature. The struggle is only commencing that may lead us to sounder positivistic thought and help us to transform the state into an institution for man as he is,

so that he can become man as he ought to be, or at least get some further light upon the ideal defining what 'man as he ought to be' actually means.

Metaphysicians are yet far from this. Consider the formalism of Mr. Bosanquet, for example. "The state," he writes (p. 189), "as such, can only secure the performance of external actions," with the consequence "that only such acts (or omissions) should be enforced by the public powers as it is better should take place from any motive whatever than not take place at all. When, that is, we enforce an act (or omission) by law, we should be prepared to say, granting that this act, which might conceivably have come to be done from a sense of duty, now may come to be done for the most part from the fear of punishment, or from the mechanical tendency to submit to external rules (attended by the practical inconveniences of insensibility, half-heartedness, and evasion which attaches to acts so enforces), still so much depends, for the higher life of the people upon the external conditions at stake, that we think it worth while to enforce the act (or omission) though our eyes are fully open to the risk of extended automatism" (p. 194). In other words, will is conceived as dependent upon motives which are something wholly private and shut off from external influence. Analogously, the state has also its motive, to further the realization of the best life, and is primarily a will, or abstract power that can be considered wholly apart from the motive.

But this is not the worst. If individual liberty is the condition of moral action, interference of the state involves a paradox. Mr. Bosanquet recognizes this and brings his most subtle logic to extricate himself. "The promotion of morality by force is an absolute self-contradiction" (p. 192). If morality depends upon freedom how can interference with freedom be a means of attaining it? The answer made is, only if interference can be interpreted as adding positive powers, that is, as Green had already said, "Every law and institution, every external fact maintained

by the public power, must be judged by the degree in which it sets at liberty a growth of mind and spirit." . . . The state is only in its rights when it forcibly "hinders hindrances" to the best life or common good.

We are saved from a paradox that threatened inner contradiction but at what cost to the empirical value of our philosophy? To execute a murderer may possibly be considered as to hinder a hindrance to the best life but does it set "at liberty a growth of mind and spirit"? Is it so easy to be sure that all the regulations of business that it is found expedient to impose are a genuine means to mental and spiritual growth? Perhaps all such things can be so interpreted, but the situation seems to me one peculiarly conducive to sophistry and confusion. It may be godlike to see the one in the many but I doubt the real virtue in confusing the many within the one. Before accepting such an interpretation it is worth while to look sharply at the postulates on which it is based.

In brief space, it would be impossible to examine adequately such fundamental ethical concepts as those of motive, will, and freedom. Consequently, I must appear dogmatic and present their characteristics as they appear to me, psychologically understood, and depend on empirical reference to carry my point. In the first place, only those acts can be called voluntary that are determined by ideas of their consequences. The idea in itself, however, is not a motive but may become one if it excites feeling of desirability or aversion. The act of will appears as a natural response of original human nature, as modified by education and environment, to an ideally anticipated consequence of the action. But not all actions voluntary in this sense have the attribute of moral freedom. A line of conduct may be voluntarily entered upon because any other line of conduct seems to lead to an outcome distinctly undesirable; and no one would feel free in such a situation. Practically, however, many problems have several solutions that are, or at least, seem, equally satisfying, in which case we feel free in making a choice. At last analy-

sis we should find in all such cases that the satisfactions are not absolutely equal but at least we have here a choice worked out on the basis of selection from goods rather than avoidance of evils. But one would hardly assume a freedom of choice when the alternatives were all undesirables. In general, the less determinate of our choices we find our feeling of impulsive seeking or avoiding, the more ready we are to attribute freedom to them.

It is not unfair to ask whether freedom so understood psychologically has any peculiar value in moral and social life. The concept is often overworked but in a sense close to the old adage that "freedom is opportunity" its value remains, for a civilization is certainly more healthy when its participants may exert their energies in the effort to realize socially practicable desires rather than in the effort to avoid anticipated ills.

But to return from our excursus to the problem of state control. It might seem at first sight that Mr. Bosanquet is right in asserting that the motives of conduct lie outside of the state's power except in so far as the state can render laws effective by exciting fear of the consequences of disobeying them. However, I do not believe that this is quite true. It is a dogma in political philosophy that men are first forced to obey laws and then the prescribed line of conduct becomes a habit so that enforcement is no longer necessary except in exceptional instances. But at best this could only be true of the monarchically organized state. In a government like our own, laws aim at being rules of conduct that shall express the most expedient mode of action for everyone concerned and a successful law is obeyed primarily because the expediency has come to be recognized by those concerned. If force is behind it, its aim is primarily to restrain the unbalanced whether their fault lies in ignorance or abnormality. In other words, we hope to see our laws educative and believe that they should lead to the recognition of ideas and the establishment of genuine motives in men. The external compelling power which is the core of Mr. Bradley's and the

absolutist's state is becoming merely its negative aspect. A political philosophy based on the above psychology must interest itself more in ideas than in will and instead of being interested in the state as the embodiment or expression of a general will, it will seek to find underlying its fundamental ideas, the source of its power and the determiners of its limitations.

The concept of a general will is the metaphysical survival of the concept of power in men's thinking. To supplant, or rather to transform the significance of it, we must introduce a different conception, perhaps that of organization. And while there is nothing new in looking upon the state as primarily an organization, yet it is true that the gradual education that men have undergone in social life has only recently led to a recognition of its supreme value and a partial appreciation of the wide range of situations in which the capacity to organize may be advantageous. To define the state as a form of organization instead of as an embodiment of a general will has that supreme significance of shifting an emphasis. There is a world of difference between the conception of man dominated by a power the aim of which is to restrict his activities for his own good, and the conception of man as member of an organization the acts of which he sanctions because of advantages that he has come to recognize may be gained by so doing.

It is no longer true that the state, as such, can control the external forms of conduct only. Mr. Bosanquet feels this empirical difficulty. "It would be an exaggeration," he writes (p. 197), "to call such external conditions as, *e. g.*, first-rate educational apparatus, mere negative conditions of the best life. . . . The difficulty springs from the fact, that the state, as using compulsion, is only one side of society, and its action is only one side of social action. . . . If first-rate educational apparatus is called into existence by a state endowment, the first-rateness of the apparatus is not due to the compulsion applied to tax-payers, which rather, so far, negatives the action of intelligent will as such, but it must be due, in one

way or another, to the fact that first-rate ability in the way of devising apparatus was somewhere pressing for an outlet, which, by a stroke of the pickaxe, so to speak, the public power was able to provide for." But this explanation, it seems to me, is a rather severe strain on Mr. Bosanquet's concepts. The bare creation of an endowment is not the sole act of the state, for the state must also select those who are to administer it and impose limitations on their jurisdictions, and this requires intelligence. Indeed the whole difficulty seems to be rooted in a survival of the faculty psychology and the consequent effort to separate feeling, intelligence and will as independent capacities.

Once the psychological situation is understood, the state can no longer be merely "one side of society" and if there is any meaning in the signs of the times, it seems to be that the activities of the state are gradually extending themselves throughout our social life in such a fashion that it is an ever-increasing problem to distinguish between public and private affairs. If we conceive the state primarily as an organization, the question is merely as to how far the operation of an organization, unlike a great corporation only in that it depends on the voted sanction of its constituents, can operate more efficiently than relatively independent individuals and organizations independent of the voice of their constituents, and it will take time and experience in particular cases to find this out. Radical reforms are chiefly at fault in assuming *à priori* a conclusion that only experience can demonstrate.

We are in need of a new political philosophy. Through a long lapse of years, man has sought to exhibit the state as a rational institution suited to his needs, but since the days of ancient Greece he has done little more than dialectically justify the forms of institutions that his history had already brought into being. A full realization of the practical powers of intelligence is as new as the epoch of applied science, a matter of a century or so, and it was only from reflection on this achievement that man began, in the last century, to dream of the possibility of

applying science to political control. The Leviathan is dying and in its place is arising a conception to supplant that monster state as a more rational and positive means to human welfare.

A first consequence is that the masses can no longer be looked upon as a means for the realization of a state-idea. They have become creative participators and must be educated in co-operation to fulfil that function. With the growing provinces of state control, the ancient and honorable doctrine of rights is in jeopardy. Naturally, men freed from the absolute dominion of the state of Hobbes, sought a clear definition of the extent to which the state might interfere in their affairs. The traditional rights of life, liberty and the pursuit of happiness appeared and are conserved even under Mr. Bosanquet's concept of the state having primarily the moral purpose of removing hindrances to the best life. Yet to accept them, is to involve us in a complex dialectic for the semblance of justification of our daily punitive practices, a specious need that a philosophy conceived from our point of view would have never generated.

If the state is no longer a person or a general will in any other sense than would be a self-controlled corporation, its fundamental principle must be to enable all men to profit by the special abilities of their fellow men as well as their own, and men's rights can be defined, but not specified, as just treatment in all matters, where justice appears as proper balance much as in the great Republic of Plato. But limitation on the scope of the state's practical activities can only be placed by the limitations of practical knowledge and the phase of development which human nature has attained—psychological factors that tend to render certain provinces of life best managed by individual initiative and not by collective control. But these limitations are not immutable. With greater scientific knowledge and the practical applications that follow from it, the provinces where collective action can advantageously enter may be capable of indefinite extension, and human

nature when we pass beyond the original and naive responses of man to environment, which are of little direct social significance, may be modified almost without limitation, for even fundamental instincts can attain vicarious satisfaction or the direction of their expression be modified by the cultivation of other and conflicting instincts and by the power of new, but socially transmitted, habits.

Also the state cannot be limited to mere external forms of control. It must recognize that while these may always be necessary, they express its imperfection and incompleteness rather than the basic side of its activities. The authority of the state should become more like that of scientific experts to whom a man submits because they know more than he instead of being that of a metaphysical power enforcing a moral ideal. But such authority can be appreciated and accepted only by educated men; therefore, the first function of a state must be to ensure its citizens a sound education, a matter rendered difficult by our present economic pressure that forces most men too early into the world's work, by our lack of adequate psychology and consequent ignorance as to just what a suitable education consists in, and by the weight of traditions that often warps our present systems from their highest efficiency. A striking example of this last is that pseudo-patriotism by which so often a people's history, instead of being made a stimulus to critical thinking for ideal ends, is made a sop to their egoism, by a reading that shows their activities in peace and war as being, if not perfect, at least immensely higher than that of any other people.

Nowhere does our theory of the state present itself in greater contrast than in its consequences for the theory of punishment. Punishment is the name for certain responses to "annoyers" (cf. Thorndike, *loc. cit.*) that play a fundamental part in the life of primitive man. The oldest theory of punishment was an attempt to justify this behavior rationally as retaliation or retribution. But the more self-conscious one becomes as to the processes

of social life, the greater the difficulty in finding a satisfactory justification for this conception. Nevertheless our metaphysicians have not failed to attempt it. By making this retaliation a reaction of a system of rights against one who shares it, we are told that punishment is a realization of the criminal's own will and Kant even taught that "though a society were about to be dissolved by agreement, the last murderer in prison must be executed before it breaks up" (Bosanquet, p. 227). It was his right to be executed. I have always felt, with the uneducated man, that this doctrine was too artificial to merit criticism. It can only be maintained on the basis of a metaphysical conception of a deeper self that is more truly the individual than the empirical self that lives and functions in the world of men, and to attempt criticism of this concept would lead us too far afield in the realm of metaphysics.

With Plato, comes the more reflective consideration of punishment as a device to make the offender good, and for this end, Plato notes, the judge and the physician must co-operate. This suggestion is so eminently sane that I can only understand the slight progress that two thousand years have made as due to the slow development of scientific medical and surgical knowledge preceding the most recent decades. When Mr. Bosanquet writes that this reformation theory "has a meaning that is unjust to the offender himself" because "it implies that his offense is merely a natural evil, like disease, and can be cured by therapeutic treatment directed to removing its causes" but "that this is to treat him not as a human being; to treat him as a 'patient,' not as an 'agent'; to exclude him from the general recognition that makes us men" (p. 222), I confess to a sense of shock for the point seems to imply that we can do nothing to make a man good. Human society sinks to a dull routine without co-operative achievement in which we can only help by not putting stumbling blocks in each others way, or by removing them if they are there.

The difficulty lies again in the metaphysical apotheosis of will, whereas, if a man's ideas are sound empirically, we can trust his will to take care of itself. With idealistic metaphysic dropped, it is not a question of a man's being an "agent" or a "patient," for in practice every man must be both. Rather the aim is to so organize human society that man can exert control over his destiny in so far as his knowledge shall give him guidance in the realization of the most satisfying ideals he has been able to set before himself. Punishment retains then the value which established its place in human society as a means to deter men from intolerable actions and to force those so acting to mend their ways. Our real progress lies only in our knowledge as to the means that can be effectively used to this end. Capital punishment and prisons do not show the desired results and reform is in the air.

Two types of actions are to be dealt with: (1) the natural behavior of the normal human being when subjected to unduly severe economic or other pressure as a result of injustices in our economic organization, illness, hard luck or too limited or perverse education; (2) the behavior of individuals in whom certain instincts are by nature too strong or too weak and who may be classed as in some sense defectives. The great variety and subtlety of human differences make the transition from one of these groups to the other so nearly continuous that an absolute line of distinction cannot be maintained. However, in the first class of cases the prime need is some general reform of conditions that shall make the occurrence of the situation leading to the undesirable act as improbable as possible, but as such attainment is often of the nature of an Utopian dream, the practical solution lies in recourse to charitable or educational institutions. In the second case the situation is also complex. If the individual defect is slight, the fear of a penalty may effectively be invoked as preventative, but with greater defect such fear is practically useless and the reformatory value of the punishment nothing at all. The rational treatment may vary from

that of the psycho-therapist to that of the surgeon, or it may be unattainable, in which case some sort of segregation is indicated. To work out in detail such a theory would be apart from our present task.

We have tried to show that the modern state has become something of which most social philosophers have never dreamed. In the complexities of social life to-day, the old doctrines of rights which seemed so clear to the men of the French revolution has not become false but it has become to a large extent meaningless since rights for which they struggled have become commonplaces and we are interested in rights of which they never dreamed, organized labor, for example. The limit to the number of rights can only be determined through practical settlement of the limits to the efficacy of public as opposed to private control. Our greatest danger seems to lie in pseudo-knowledge. To apply knowledge we must have it, and only too often under the present rapid advance of the sciences, promise is taken for fulfilment and scientific applications are proposed where the science to be applied does not yet exist. Our attitude toward the future demands courage, not the rashness of fools, but the temperament of the wise experimenter who can make haste slowly, ever on a basis of sound knowledge.

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